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SUBJECT: MEETING WITH RWANDA TRIBUNAL (ICTR) PRESIDENT SIR
DENNIS BYRON

¶1. On Wednesday, October 17, 2007, Ambassador Wallace and USUN Legal Adviser met with Judge Dennis Byron who was in New York to address the General Assembly. Byron was accompanied by Spokesperson of the Tribunal, Roland Kouassi G. Amoussouga. Recognizing the serious violations of humanitarian law committed in Rwanda, the purpose of the meeting was to update the USG on the work of the Tribunal and the process of national reconciliation in Rwanda. Byron discussed progress toward meeting the timetable set forth in the Tribunal's completion strategy, taking into account the deadlines set in Security Council resolutions 1503 (2003) and 1534 (2004).

¶2. At the meeting, Byron provided the status cases before the Tribunal and the efforts underway for all sections to complete work as soon as possible. He noted that of the 90 indictees, 76 had been arrested. There have been 33 trials completed including 28 convicted and sentenced and 5 acquitted. There are currently 22 trials in progress and 6 appeals. However, the real problem of fugitives was raised, particularly the arrest of Felicien Kabuga. Sightings of Kabuga have been reported but Byron stressed the need for Category 1 offenders to be arrested and tried before the end date of the Tribunal. He also raised the challenge of staff retention and its impact on the Completion Strategy.

¶3. Judge Byron suggested a "Retention Bonus" to improve the current 20% vacancy rate at the Tribunal, which he suggested would get worse as recruitment is becoming more difficult. According to Byron, applicants for the ICTR are not interested in applying for a one year job, learning the background materials in six months, and knowing the end date of the Tribunal is near. The goal for Byron was to convert the ICTR into a more attractive post, eliminating the fears that when the completion of the Tribunal occurs, those staff members will be unemployed. In addition, senior lawyer Roland Amoussouga raised a concern that the morale of the ICTR staff is very low, at a time when the morale needs to be at its maximum to ensure that the Completion Strategy is achieved effectively. He said one problem is that ICTR staff are not eligible to compete for UN positions as internal candidates and this places them at a career disadvantage as compared to other UN employees.

¶4. Byron said that the ICTR Voluntary Trust Fund was almost depleted. He cited a need for \$2.4 million for a planned project. Ambassador Wallace said that the USG favors the use of voluntary contributions to fund additional obligations relating to outreach and/or transition measures. Ambassador Wallace asked for a description of the project and promised that it would be circulated within the Department. He also praised the ICTR for its work, efficiency and its humanitarian success story.

¶5. Judge Byron expressed his appreciation to the USG for its continued support and Mr. Amoussouga added that the positive pressure in the form of bounties from the USG and cooperation

and information sharing, in particular from the US Government Agencies, had enabled them to locate, indict and arrest the genocide offenders.
Khalilzad